

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

KEITH E. ANDERSON,	)	CASE NO. 4:07 CV 1566
	)	
Plaintiff,	)	JUDGE PATRICIA A. GAUGHAN
	)	
v.	)	MAGISTRATE JUDGE
	)	WILLIAM H. BAUGHMAN, JR.
COMMISSIONER OF SOCIAL	)	
SECURITY,	)	
	)	<b><u>REPORT &amp; RECOMMENDATION</u></b>
Defendant.	)	

This matter comes before the Magistrate Judge by automatic reference of administrative action<sup>1</sup> for review of the decision of the Commissioner of Social Security denying plaintiff's applications for disability insurance benefits and supplemental security income.<sup>2</sup>

On November 19, 2007, counsel for the defendant filed a motion to dismiss for failure to prosecute and follow the Court's orders.<sup>3</sup> On November 20, 2007,<sup>4</sup> the Court filed an order that the plaintiff show cause, on or before December 4, 2007, as to why his complaint should not be dismissed for want of prosecution. No such filing has been received as of this date.

On consideration whereof, the Magistrate Judge recommends the dismissal of the above-captioned case for failure to prosecute.

Dated: January 30, 2008

s/ William H. Baughman, Jr.  
United States Magistrate Judge

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<sup>1</sup> ECF # 5.

<sup>2</sup> ECF # 1.

<sup>3</sup> ECF # 14.

<sup>4</sup> ECF # 15.

### **Objections**

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court's order.<sup>5</sup>

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<sup>5</sup> See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).